REMARKS

The Examiner rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by the patent to Haber. Applicant respectfully disagrees.

Claim 1 recites, "computing at said outside agency a *time difference* between a *predetermined time reference* and the *time of receipt* of said identifying data." The time of receipt is a current time (e.g., a system time) that may be provided by a server, for example, and identifies *when* the outside agency received the document from the author. The predetermined time reference is a *different* time value that is used as a reference time in computing the time difference. Thus, limitation of claim 1 recites determining the difference between a current time of receipt, and a separate predetermined time reference.

Haber does not teach computing a time difference as recited by claim 1. Rather, Haber teaches receiving a document, and including a plurality of current times in a sequence in the generated timestamp receipt.

> For each given processed document D_k, the TSA generates a time-stamp receipt which includes, for example, a sequential receipt number, r_k, the identity of the author, A_k, by ID number ID_k, or the like, the hash, H_k, of the document, and the current time, t_k. In addition, the TSA includes the receipt data of the immediately preceding processed document, D_{k-1}, of author, A_{k-1}, thereby bounding the timestamp of document, D_k, in the "past" direction by the independently established earlier receipt time, t_{k-1}. Likewise, the receipt data of the next received document, D_{k+1}, are included to bound the time-stamp of document, D_k, in the "future" direction. The composite receipt, now containing the time data of the three, or more if desired, *sequential time-stamp receipts*, or identifying segments thereof, is then certified with the cryptographic TSA signature and transmitted to the author, A_k.

Haber, col. 4, ll. 6-24 (emphasis added). This passage is unambiguous. The time-stamp receipts employed by Haber are the actual current receipt times (i.e., system times provided by the server) of the document being time-stamped, as well as the current receipt times of the documents received both before and after the document being time-stamped. The current times are independently established (i.e., determined for separate and distinct documents received over time), and are used specifically to create a chronological sequence – not a computed

difference - of current time values in the generated time-stamp receipt. Put simply, a sequence is not a difference. The patent to Haber never mentions computing *any* time difference, and even if it did, a computed time difference is certainly **not** included in the generated timestamp receipt as is recited by claim 1.

Nevertheless, the Examiner attempts to support the rejection by equating the claimed "predetermined reference time" with the reference time used by internal clocks. Particularly, the Examiner relies on the fact that the current time value provided by an internal clock of a computer is a time difference representing the number of elapsed milliseconds from a reference time (e.g., January 1, 1970 in UNIX). However, the fact that internal clocks provide current time values using a reference value means *only* that the Haber reference can obtain the current "time of receipt" for each received document (i.e., t_{k-1}, t_k, t_{k+1}). It does not teach that Haber obtains the current time of receipt, and then computes a difference between the current "time of receipt" **and** a separate, predetermined time reference. If Haber could be construed to employ a reference time as the Examiner suggests, it is only to obtain the current time of receipt and nothing else. Haber never explicitly discloses a predetermined reference time.

In addition, Haber fails to anticipate claim 1 for another reason. Specifically, Haber fails to disclose the claim 1 limitation, "certifying said time stamp receipt by signing said time stamp receipt at said outside agency with a private signature key associated with said predetermined time reference." As stated above, Haber fails to disclose a predetermined reference time, and as such, necessarily fails to disclose the "certifying" limitation of claim 1. In addition, the passages of Haber cited by the Examiner fail to disclose what the Examiner asserts they do. Scrutiny reveals that these passages show only that the Time Stamping Agency employs a secret key and that members of the public wishing to verify the authenticity of a document could use the TSA'a public key. The patent to Haber never mentions that the secret key is associated with the predetermined time reference, and in fact, does not even need to. According to Haber,

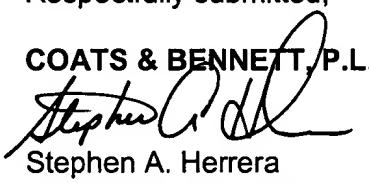
the inclusion of a plurality of chronologically sequential current times in the time stamp receipt is so effective that it renders the signature of the TSA superfluous. *Haber*, col. 4, ll. 25-33.

Haber simply fails to anticipate claim 1 under § 102(b). It does not teach the claimed "computing" limitation, and fails to disclose the claimed "certifying" limitation. Therefore, Applicant respectfully requests the allowance of claims 1-11.

Finally, Applicant adds claim 12 for consideration by the Examiner. Claim 12 is fully supported by the specification as-filed, and no new matter has been added. Claim 12 recites language that makes explicit what is already implicit in claim 1. Thus, for the reasons stated above, claim 12 is patentable over Haber. Accordingly, Applicant respectfully requests the allowance of claim 12.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

By: 

July 30, 2004

Stephen A. Herrera
Registration No. 47,642

P.O. Box 5
Raleigh, NC 27602
Telephone: (919) 854-1844